

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

MITZI BICKERS

Criminal Action No.

1:18-CR-0098-SCJ-LTW

**UNITED STATES' NOTICE OF INTENT TO INTRODUCE
EVIDENCE UNDER FEDERAL RULE OF EVIDENCE 404(B)**

The United States of America, by Kurt R. Erskine, United States Attorney, and Jeffrey W. Davis, Nathan P. Kitchens, and Tiffany R. Dillingham, Assistant United States Attorneys for the Northern District of Georgia, hereby files notice of its intent to introduce evidence at trial under Federal Rule of Evidence 404(b).

1. On March 27, 2018, a federal grand jury returned an 11-count indictment charging the Defendant with conspiracy to commit bribery, money laundering, wire fraud, witness tampering, and filing a false tax return. On October 22, 2018, the grand jury returned a superseding indictment adding a substantive count of bribery.
2. The United States expects to offer evidence that, in August 2021, the Defendant had a coworker use his cell phone to call a likely government witness, and the Defendant took the coworker's cell phone after the witness answered the call. During the ensuing conversation between the Defendant and the witness, the Defendant requested contact information for a second likely government witness, stated that she wanted to "get this shit nipped in the bud" with her trial date nearing, and suggested that all

the witness needed to remember was that a third likely government witness fell into the Defendant's pool.

3. This evidence is reflected in the discovery provided to defense counsel. *See* FBI Form FD-302 (Serial 397). The United States intends to introduce testimony of the above-referenced conduct at trial under Rule 404(b) as proof of intent, knowledge, the absence of mistake or accident, and a common plan and scheme with respect to the witness tampering charge and the substantive bribery charge in the superseding indictment, which are contested issues at trial.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

The United States Attorney's Office served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

Dated: February 23, 2022.

/s/ NATHAN P. KITCHENS
Assistant United States Attorney